

United States District Court

for the

Eastern District of New York

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender

U.S. DISTRICT COURT
IN CLERK'S OFFICE
MAR 16 2012
LONG ISLAND OFFICE
FILED
COURT E.D.N.Y.
Case Number: 0207 0:97CR01177-001

Name of Offender: Keith Edward Richter

Name of Sentencing Judicial Officer: The Honorable Denis R. Hurley
Senior U.S. District Judge

Date of Original Sentence: 9/4/1998

Original Offense: Attempting and Conspiring to Commit Murder, a Class C Felony in violation of 18 USC 1959(a)(5);
Attempting and Conspiring to Commit Assault with a Dangerous Weapon, (2 Counts) in violation of 18 USC 1959(a)(6)

Original Sentence: Imprisonment - 192 months
Supervised Release - 36 months with the following special conditions:
1) Full financial disclosure; 2) Substance Abuse treatment; 3) \$20,000.00 Fine, and 4) \$300 Special Assessment.

Type of Supervision: TSR Date Supervision Commenced: 3/1/2012

PETITIONING THE COURT

To extend the term of supervision for years, for a total term of years.
 To modify the conditions of supervision as follows:

The releasee shall not associate, directly or in-directly, in-person, by mail, by computer, by telephone, or any other electronic means, with any individual who is a member or associate of the below listed outlaw motorcycle clubs.

The releasee shall not publicly wear or display the clothing (jacket/garments containing outlaw motorcycle club specific patches, figures, phrases, insignias) or insignias of the below listed outlaw motorcycle clubs.

The releasee shall not affix any new tattoos affiliated with any of the below listed outlaw motorcycle clubs.

The releasee shall not frequent any of the clubhouses associated with the below listed outlaw motorcycle clubs.

The outlaw motorcycle clubs are as follows: Pagans, Brotherhood, Hells Angels, Demon Knights, Vagos, Mongols, Vietnam Vets, or U.S. Military Vets outlaw motorcycle clubs.

CAUSE

As evidenced by his signature on the attached Probation Form 49, the releasee has agreed to the proposed modification of his conditions of supervised release.

As detailed in the Presentence Report (PSR), the releasee was then identified as the Sergeant-At-Arms of the Pagans Mother Club. As noted in the PSR, the Pagan Outlaw Motorcycle Club (the "Pagans") is an organization consisting of the Mother Club Chapter and local chapters located in several states including, New York, New Jersey, Pennsylvania, Virginia, Delaware, and

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-2-

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elsewhere. The PSR states, "One of the goals of the Pagans is to earn money for its members and associates through a variety of criminal activities, including extortion, debt collection, theft, drug distribution, and protection rackets." It was through the releasee's high ranking role in the Pagans OMC that he perpetrated the crimes for which he was ultimately convicted. The PSR further details illegal activities perpetrated by other members and associates of the Pagans to further their group's criminal interests.

Since his release from custody, the releasee has advised that he will always be a member of the Pagans, although he presently considers himself a "retired" member, and has indicated that he takes great pride in his affiliation with the "club". However, he further related that he understands the Probation Department's concerns about allowing him to otherwise promote affiliation with the Pagans and has agreed to refrain from doing so. The releasee has willingly agreed to the proposed modification with the understanding that the Probation Department would not object to his possession/display of his Pagan clothing, insignias, and paraphernalia within the confines of his private residence.

The Probation Department feels that this is an acceptable compromise in that during the three (3) year term of supervision, the releasee will not be permitted to otherwise publicly promote this criminal organization, and will be prevented from associating with any current or past Pagans members, as well as members/associates of affiliated and/or rival OMC's.

Respectfully submitted,

by

Edward Kanaley

Approved:

David J. Washington

David J. Washington
Supervising U.S. Probation Officer
Date: March 9, 2012

Edward Kanaley
Senior U.S. Probation Officer
Date: March 9, 2012

THE COURT ORDERS:

No Action
 The Modification of Conditions as Noted Above
 Other

/s/ DENIS R. HURLEY

Signature of Judicial Officer

3-13-12

Date

PROB 49
(NYEP-8/1/07)

United States District Court
EASTERN DISTRICT OF NEW YORK

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, " I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

The releasee shall not associate, directly or in-directly, in-person, by mail, by computer, by telephone, or any other electronic means, with any individual who is a member or associate of the below listed outlaw motorcycle clubs.

The releasee shall not publicly wear or display the clothing (jacket/garments containing outlaw motorcycle club specific patches, figures, phrases, insignias) or insignias of the below listed outlaw motorcycle clubs.

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Witness: *E. Kanaley*
U.S. Probation Officer

Signed: *Kathy Ruth*
Probationer or Supervised Releasee

3/1/12
Date